IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CARA ZARZECKI, Administratrix of the : Estate of Stanley J. Zarzecki and CARA : ZARZECKI, individually and in her own : right :

CIVIL ACTION NO. 11-cv-03308

Plaintiffs

vs.

WALNUT PARK PLAZA, LLC; EQUITY: MANAGEMENT II, LLC; CLEARWIRE: US, LLC; and CLEAR WIRELESS, LLC;

Defendants

Clearwire US, LLC and Clear Wireless, LLC

Third-Party Plaintiffs

VS.

Excalibur Communications, Inc.

Third-Party Defendant.

CLEARWIRE'S ANSWER TO CROSSCLAIM OF DEFENDANTS WALNUT PARK PLAZA, LLC AND EQUITY MANAGEMENT II, LLC

Defendants Clearwire US, LLC and Clear Wireless, LLC (collectively, "Clearwire"), by and through their undersigned counsel, hereby respond to the crossclaim of Defendants Walnut Park Plaza, LLC and Equity Management II, LLC ("Crossclaim").

Clearwire incorporates by reference its Amended Answer to Complaint [Dkt. No.
as if fully set forth herein.

2. Denied. The allegations of paragraph 2 of the Crossclaim constitute conclusions

of law to which no response is required.

3. Denied. The allegations of paragraph 3 of the Crossclaim constitute conclusions

of law to which no response is required.

4. Denied. The allegations of paragraph 4 of the Crossclaim constitute conclusions

of law to which no response is required.

5. Denied. The allegations of paragraph 5 of the Crossclaim constitute conclusions

of law to which no response is required.

WHEREFORE, Clearwire respectfully request that this Court enter judgment in its favor

and against Plaintiffs, and, to the extent necessary, in its favor and against co-defendants Walnut

Park Plaza, LLC and Equity Management II, LLC, and that costs and fees be assessed against

Plaintiffs and/or co-defendants Walnut Park Plaza, LLC and Equity Management II, LLC, and

further request such other relief, together with costs, disbursements, and attorneys' fees, as the

Court deems just and proper.

Montgomery, McCracken, Walker & Rhoads, LLP

By: /s/ John G. Papianou

John G. Papianou (Pa. Id. 88149)

123 South Broad Street, 24th Floor

Philadelphia, PA 19109

Tel: (215) 772-1500

Fax: (215) 772-7620

Attorneys for Defendants

CLEARWIRE US, LLC

CLEAR WIRELESS, LLC

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CERTIFICATE OF SERVICE

I certify that on June 28, 2011, I filed the foregoing Answer using the Court's CM/ECF system, which will send e-mail notification of the filing to all counsel of record. These documents are available for viewing and downloading via the CM/ECF system.

I further certify that on June 28, 2011, I served the foregoing Answer by U.S. Mail on the following:

Harry Smith/Jason Smith Excalibur Communications, Inc. 460 Green Tree Road, Suite 4-B Sewell, New Jersey 08080

/s/ John G. Papianou